

# **EXHIBIT 5**

**911 Transcript-Employee-1**

**911 Operator:** New York City 911 do you need the police, fire or medical?

**Caller:** Police.

**911 Operator:** What's the location?

**Caller:** 272 Broadway between Marcy and Havemeyer Avenue. It's a Dunkin Donuts.

**911 Operator:** Ok, 272 Broadway Havemeyer Street.

**Caller:** And Marcy.

**911 Operator:** And Marcy.

**Caller:** Yes.

**911 Operator:** Give me one second. Dunkin Donuts. What's the emergency here?

**Caller:** Listen, there's a guy here. He's very agitated. I don't know if he has any weapons but he's getting very loud.

**911 Operator:** Okay, ma'am slow down you're talking really fast. I understand you're upset. It's a male white, black or hispanic?

Caller: He's white, he's tall about 6'4". He's got all black on and he's wants - he's asking for something that we cannot provide him with.

911 Operator: What is he asking you for?

Caller: He wants six pumpkin donuts. It's the stupidest thing.

911 Operator: Oh okay.

Caller: He wants six pumpkin donuts, but we only have five at the moment so now he's screaming all in our face, telling us "You're gonna fucking make it." I don't know if he has any weapons on him because he's got his hands in his pocket and he just doesn't - he refuses to leave and he just keeps going back and forth.

911 Operator: What is your name?

Caller: [REDACTED]

911 Operator: What's the phone number you are calling me from?

Caller: [REDACTED]

911 Operator: Job is in. [unintelligible] The police is coming, ok.

Caller: Thank you.

\*\*\*End\*\*\*